

## **REMARKS**

### **I. Introduction**

With the addition of new claim 28, claims 14 to 28 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that the present application is in condition for immediate allowance, and reconsideration is respectfully requested.

### **II. Rejection of Claims 17, 18, 21, 22, 23 and 27 Under 35 U.S.C. § 112**

Claims 17, 18, 21, 22, 23 and 27 were rejected under 35 U.S.C. § 112 as allegedly indefinite. It is respectfully submitted that these claims are sufficiently definite for at least the following reasons.

Regarding claims 17 and 18, these claims have been amended herein without prejudice to more readily set forth features of the ball socket.

Regarding claim 21, there is nothing misdescriptive or inaccurate with respect to this claim. In this regard, the Examiner's attention is respectfully directed, e.g., to page 3, lines 14 to 16 of the Specification.

Regarding claim 22, there is nothing misdescriptive or inaccurate with respect to this claim. In this regard, the Examiner's attention is respectfully directed, e.g., to page 3, lines 22 to 24 of the Specification.

Regarding claim 27, the rejection of claim 27 cannot be understood. As plainly set forth in claim 27, a rotatably mounted connection arrangement is adapted to connect a first part to a second part. The first part includes a ball, the second part includes a ball socket, and the second part is adapted to receive the ball.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

### **III. Rejection of Claims 14 to 17, 19, 20, 24, 26 and 27 Under 35 U.S.C. § 102(b) -- Wenzel et al.**

Claims 14 to 17, 19, 20, 24, 26 and 27 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,164,829 ("Wenzel et al."). It is respectfully submitted that Wenzel et al. do not anticipate claims 14 to 17, 19, 20, 24, 26 and 27 for at least the following reasons.

Claim 14 relates to a ball socket for receiving a ball. As presented herein, claim 14 recites that the ball socket includes a first half-socket, a second half-socket, each of the first half-socket and the second half-socket having an at least partially spherical interior surface, and at least one elastically deformable region integrally formed with the first half-socket and the second half-socket. Claim 27 includes analogous features.

Wenzel et al. describe a ball socket, which is divide by five groove-shaped recesses 2 into five segments. As such, Wenzel et al. plainly fail to disclose, or even suggest, a ball socket that includes a first half-socket, a second half-socket, and at least one elastically deformable region integrally formed with the first half-socket and the second half-socket. As such, it is respectfully submitted that Wenzel et al. do not anticipate claims 14 and 27.

As for claims 15 to 26, which ultimately depend from claim 14 and therefore include all of the features of claim 14, it is respectfully submitted that Wenzel et al. do not anticipate these dependent claims for at least the reasons set forth above in support of the patentability of claim 14.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

#### **IV. Rejection of Claims 14 to 20 and 22 to 27 Under 35 U.S.C. § 102(b) -- Flumerfelt**

Claims 14 to 20 and 22 to 27 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 2,288,160 (“Flumerfelt”). It is respectfully submitted that Flumerfelt does not anticipate claims 14 to 20 and 22 to 27 for at least the following reasons.

Flumerfelt describes a joint assembly that includes seats 37, 38 and an annular cushion 44 formed of rubber or other compressible synthetic material. However, it is plainly apparent that Flumerfelt does not disclose, or even suggest, a ball socket that includes at least one elastically deformable region integrally formed with a first half-socket and a second half-socket. As such, it is respectfully submitted that Flumerfelt does not anticipate claims 14 and 27.

As for claims 15 to 20 and 22 to 26, which ultimately depend from claim 14 and therefore include all of the features of claim 14, it is respectfully submitted

that Flumerfelt does not anticipate these dependent claims for at least the reasons set forth above in support of the patentability of claim 14.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**V. Rejection of Claims 14, 19 and 21 Under 35 U.S.C. § 102(b) -- Zivkovic**

Claims 14, 19 and 21 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,395,176 ("Zivkovic"). It is respectfully submitted that Zivkovic does not anticipate claims 14, 19 and 21 for at least the following reasons.

The Office Action contends that bearing shell 22 of Zivkovic constitutes an elastically deformable region. However, Zivkovic fails to disclose a ball socket that includes a first half-socket, a second half-socket, each of the first half-socket and the second half-socket having an at least partially spherical interior surface, and at least one elastically deformable region integrally formed with the first half-socket and the second half-socket. As such, it is respectfully submitted that Zivkovic fails to anticipate claim 14.

As for claims 19 and 21, which ultimately depend from claim 14 and therefore include all of the features of claim 14, it is respectfully submitted that Zivkovic does not anticipate these dependent claims for at least the reasons set forth above in support of the patentability of claim 14.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

**VI. New Claim 28**

New claim 28 has been added herein. It is respectfully submitted that claim 28 adds no new matter and is fully supported by the present application, including the Specification. Since claim 28 includes features analogous to features included in claim 27, it is respectfully submitted that claim 28 is patentable over the references relied upon for at least the reasons more fully set forth above.

**VII. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Date: December 13, 2007

By: /Clifford A. Ulrich/  
Clifford A. Ulrich (Reg. No. 42,194)

KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
(212) 425-7200  
**CUSTOMER NO. 26646**